



#5

Inter-Office Transmittal

From the desk of Jon Lachel
Office of Patent Publication
Pre-Grant Publication Division

2231 Crystal Drive
Crystal Park 3
Suite 905
Arlington, VA 22202
Voice (703) 605-4285
Fax (703) 305-8568

To: FAX 703-308-6606

From: Jon Lachel
USPTO
Pre-Grant Publications Division

Date: October 11, 2002

RE: Determining Location of FAX 703-308-6606

To the recipient of this fax:

Please call me at 703-605-4285 or send an email to jon.lachel@uspto.gov so that I can determine who has this fax number. I am trying to confirm a customer's claim that USPTO received notification documents for a Pre-Grant Application. It may determine whether their application is abandoned.

Thank you.



BANNER & WITCOFF, LTD.
INTELLECTUAL PROPERTY LAW

601 S.W SECOND AVENUE
SUITE 1900
PORTLAND, OREGON 97204

TEL: 503.279.6330
FAX: 503.279.6328
www.bannerwitcoff.com

FACSIMILE TRANSMITTAL SHEET

To:
Mr. Jon Lachel

FROM:
Karolyn Koppen

COMPANY:
U.S. Patent and Trademark Office

DATE:
October 11, 2002

FAX NUMBER:
703-305-8568

TOTAL NO. OF PAGES (INCLUDING COVER SHEET):
3

YOUR REFERENCE NO.:
App. No. 09/872,753

OUR REFERENCE (C/M) No.:
005146.00005

RE:
Request to Rescind

If you do not receive all page(s) or have any problems receiving this transmission, please call:

NAME: Karolyn

PHONE: (503) 279-6330

COMMENTS:

Mr. Lachel,

With regard to your request, following is our Facsimile Transmittal Sheet and the TX Report which confirms that two pages (Request to Rescind and Fax Cover) were successfully transmitted to fax number 1-703-308-6606 on June 28.

Karolyn

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FACSIMILE TRANSMITTAL SHEET

To:
Examiner Matthew M. Kim, GAU 2186

FROM:
Thomas L. Evans

COMPANY:
U.S. Patent and Trademark Office

DATE:
June 28, 2002

FAX NUMBER:
703-308-6606

TOTAL NO. OF PAGES (INCLUDING COVER SHEET):
2

YOUR REFERENCE No.:
U.S. Pat. App. Serial No. 09/872,753

OUR REFERENCE (C/M) No.:
005146.00005

RE:
Request to Rescind Previous Nonpublication Request

If you do not receive all page(s) or have any problems receiving this transmission, please call:

NAME: Tom Evans / Karolyn

PHONE: (503) 279-6330

COMMENTS:

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*** TX REPORT ***

TRANSMISSION OK

TX/RI NO 1660
CONNECTION TEL 17033086606
CONNECTION ID
ST. TIME 06/28 10:06
USAGE T 00'47
PGS. SENT 2
RESULT OK



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FACSIMILE TRANSMITTAL SHEET

To:
Examiner Matthew M. Kim, GAU 2186

FROM:
Thomas L. Evans

COMPANY:
U.S. Patent and Trademark Office

DATE:
June 28, 2002

FAX NUMBER:
703-308-6606

TOTAL NO. OF PAGES (INCLUDING COVER SHEET):
2

YOUR REFERENCE No.:
U.S. Pat. App. Serial No. 09/872,753

OUR REFERENCE (C/M) No.:
005146.00005

RE:
Request to Rescind Previous Nonpublication Request

If you do not receive all page(s) or have any problems receiving this transmission, please call:

NAME: Tom Evans / Karolyn

PHONE: (503) 279-6330

COMMENTS:

06/28/02 13:09:37

USPTO->

503 279 6328 RightFAX

Page 001

TO:Auto-reply fax to 503 279 6328 COMPANY:

Auto-Reply Facsimile Transmission



UNITED STATES
PATENT AND
TRADEMARK OFFICE

TO:

Fax Sender at 503 279 6328

Fax Information

Date Received:

6/28/02 1:06:48 PM [Eastern Daylight Time]

Total Pages:

2 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 702.04 et seq.

Received
Cover
Page

=====>

06/28/2002 FRI 10:04 FAX 503 279 6328

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0001



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FAX: 503.279.6328
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FACSIMILE TRANSMISSION SHEET

TO: Examiner Matthew M. Kim, GAU 2186	FROM: Thomas L. Evans
COMPANY: U.S. Patent and Trademark Office	DATE: June 28, 2002
FAX NUMBER: 703-308-8808	TOTAL NO. OF PAGES (INCLUDING COVER SHEET): 2
YOUR REFERENCE NO.: U.S. Pat. App. Serial No. 09/872,753	OUR REFERENCE (C/R) NO.: 005148.00005
RE: Request to Rescind Previous Nonpublication Request	
If you do not receive all page(s) or have any problems receiving this transmission, please call:	
NAME: Tom Evans / Kathryn	PHONE: (503) 279-6330
COMMENTS:	

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Received from 503 279 6328 at 6/28/02 1:06:48 PM [Eastern Daylight Time]

Lachel, Jon

From: Kim, Matt
Sent: Friday, October 11, 2002 2:09 PM
To: Lachel, Jon
Subject: RE: Request to Rescind for 09872753

It appears that incorrect fax number was used. Try 703-746-7239 (for official documents designated for TC2100) and 703-746-7240 (draft documents designated for TC2100). Also, one may call TC2100 customer service rep to check if the fax has been successfully received by TC2100. Hopefully, this helps.

Matt

-----Original Message-----

From: Lachel, Jon
Sent: Thursday, October 10, 2002 3:39 PM
To: Kim, Matt
Subject: Request to Rescind for 09872753

Mr. Kim

Attorney Thomas Evans/assistant Carolyn Koppen of Banner and Witcoff called us to inquire about their REQUEST TO RESCIND PREVIOUS NONPUBLICATION REQUEST which was (apparently) faxed to 703-308-6608 (???hard to read number on their Auto Reply copy) to your attention June 28, 2002. The request was never entered according to PALM and Pre EXAM.

PTO's system presently shows that we processed a REQUEST in September (a 2nd REQUEST that was sent directly to this office) although a question remains as to whether they complied with the requirement to notify the PTO within 45 days of filing a PCT based from this application. If they did not notify us properly in their alleged June submission, then the application would be considered abandoned.

Given that this took place in June, is there anything that you might remember about this case? What is your normal procedure in accepting or handling REQUESTS TO RESCIND? I have their faxed copies if this would help.

Please advise. Thanks.

Jon Lachel
USPTO
Pre Grant Publication Division

Lachel, Jon

From: Kim, Matt
Sent: Friday, October 11, 2002 2:10 PM
To: Lachel, Jon
Subject: RE: Request to Rescind for 09872753

I forgot to give you TC2100 customer service rep phone #: 703-306-5631

-----Original Message-----

From: Kim, Matt
Sent: Friday, October 11, 2002 2:09 PM
To: Lachel, Jon
Subject: RE: Request to Rescind for 09872753

It appears that incorrect fax number was used. Try 703-746-7239 (for official documents designated for TC2100) and 703-746-7240 (draft documents designated for TC2100). Also, one may call TC2100 customer service rep to check if the fax has been successfully received by TC2100. Hopefully, this helps.

Matt

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Sent: Thursday, October 10, 2002 3:39 PM
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Please advise. Thanks.

Jon Lachel
USPTO
Pre Grant Publication Division

Lachel, Jon

From: Dixon, Aalia (Chugach)
Sent: Wednesday, October 16, 2002 10:34 AM
To: Lachel, Jon
Subject: RE: FAX

No, the fax was not dropped off as a "paper copy". It was forwarded to our Rightfax number (703) 872-9314.

~Aalia

-----Original Message-----

From: Lachel, Jon
Sent: Wednesday, October 16, 2002 10:25 AM
To: Dixon, Aalia (Chugach)
Subject: RE: FAX

Thank you for responding to my request. I appreciate you taking the time to assist me.

To clarify, was the fax dropped off to the TC2600 Customer Service Office as a "paper copy" from sources unknown?

Jon Lachel
USPTO
Pre Grant Publication Division

-----Original Message-----

From: Dixon, Aalia (Chugach)
Sent: Wednesday, October 16, 2002 9:41 AM
To: Lachel, Jon
Subject: FAX

Good morning.

This email is in response to the fax received in our Customer Service Office RE: Determining Location of FAX (703) 308-6606. This fax was received into TC2600 Customer Service Office, Official Fax (703) 872-9314. I don't know who has fax # (703) 308-6606, but it was forwarded to our CSO Official Fax #. It could be an examiner's personal fax #.

~Aalia

Aalia Y. Dixon

US Patent & Trademark Office
TC 2600 Customer Service Office (CSO)
PK2, RM 6V04
CSO Voice: (703) 306-0377
CSO Fax: (703) 872-9313
Direct: (703) 308-8993



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/872,753	06/01/2001	2186	420	05146.00005	4	15	1

CONFIRMATION NO. 9903

22909
BANNER & WITCOFF, LTD.
1001 G STREET, N.W.
WASHINGTON, DC 20001-4597

CORRECTED FILING RECEIPT



OC000000008811548

Date Mailed: 09/19/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Gregory Scott Friedman, Sammamish, WA;
Coyle Brett Marl, Seattle, WA;

Assignment For Published Patent Application

ViAir, Inc.;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 08/02/2001

Projected Publication Date: 12/26/2002

→ Rescinded

Non-Publication Request: No

Early Publication Request: No

Title

System and method for progressive and hierarchical caching

Preliminary Class